

Notice of Allowability

Application No.

10/016,440

Examiner

Joseph D. Torres

Applicant(s)

HOMBERG ET AL.

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment Submitted/Entered with Filing of CPA/RCE filed 02/18/2005.
2. ☒ The allowed claim(s) is/are 1-4, 6-32 and 34-43.
3. ☒ The drawings filed on 11 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Primary Examiner
Joseph D. Torres
Art Unit 2133

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul E. Kudirka on 3/15/2005.

The application has been amended as follows:

As per claim 1:

In line 16 of claim 1, --new-- was inserted before "egress header".

As per claim 2:

In line 2 of claim 2, --new-- was inserted before "egress header".

As per claim 7:

In line 1 of claim 7, --new-- was inserted at the end of line 1.

As per claim 9:

In line 3 of claim 9, --new-- was inserted before "egress header".

As per claim 11:

Art Unit: 2133

In line 3 of claim 11, --new-- was inserted before "egress header".

As per claim 15:

In line 17 of claim 15, --new-- was inserted at the end of line 17.

As per claim 16:

In line 3 of claim 16, --new-- was inserted at the end of line 3.

As per claim 21:

In line 2 of claim 21, --new-- was inserted before "egress header".

As per claim 23:

In line 3 of claim 23, --new-- was inserted before "egress header".

As per claim 25:

In line 3 of claim 25, --new-- was inserted before "egress header".

As per claim 29:

In line 19 of claim 29, --new-- was inserted at the end of line 19.

As per claim 30:

In line 3 of claim 30, "the egress" was replaced with --the new egress--.

As per claim 35:

In line 3 of claim 35, --new-- was inserted before "egress header".

As per claim 37:

In line 3 of claim 37, "the egress" was replaced with --the new egress--.

As per claim 39:

In line 3 of claim 39, --new-- was inserted at the end of line 3.

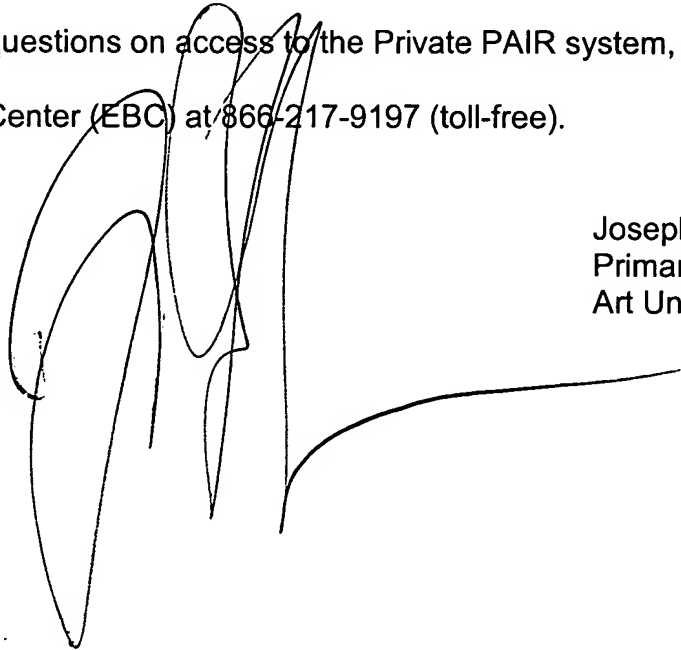
As per claim 43:

In line 18 of claim 43, --new-- was inserted at the end of line 18.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Torres whose telephone number is (571) 272-3829. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Joseph D. Torres, PhD
Primary Examiner
Art Unit 2133